IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 1513 (S/S) of 2005

Sarla Raturi,
Assistant Teacher (Language)
Purv Madhyamik Vidyalaya,
District- Tehri Garhwal. .....Petitioner.

Versus

1. State of Uttaranchal, through Director, Education, Dehradun.
2. District Education Officer (Basic) New Tehri, District - Tehri Garhwal.
3. District Assistant Education Officer (Basic) New Tehri, District - Tehri Garhwal.
4. Principal, Purv Madhyamik Vidyalaya, Chawal Khet, Chamba, District - Tehri Garhwal.

.....Respondent.

Hon'ble M.M. Ghildiyal, J.:

Heard Sri Shobhit Saharia, learned counsel for the petitioner and learned standing counsel, who was accepted notices on behalf of respondents.

Learned counsel for both the parties are agree to decide the writ petition at its admission stage itself.

Petitioner, who is working as Assistant Teacher in Purv Madhyamik Vidyalaya, Chawal Khet, Chamba has challenged the transfer order dated 28.06.2005 passed by respondent no. 2 i.e. District Education Officer, Tehri Garhwal, by which petitioner has been transferred from Purv Madhyamik Vidyalaya, Chawal Khet, Chamba to Junior High School, Jardhar Gaon, on the Ground of surplus teacher.

Learned counsel for the petitioner has submitted that after the transfer of the petitioner some other person has been transferred to Purv Madhyamik Vidyalaya, Chawal Khet, Chamba. He has further submitted that if the petitioner is treated as surplus teacher then there was no occasion to appoint another person to that school.

Against this transfer order, petitioner has already moved a representation dated 19.07.2005 before respondent no. 2 (Annexure no. 7 to the writ petition) and the same is still pending

During the course of argument, learned counsel for the petitioner has submitted that District Education Officer, Tehri Garhwal, may be directed to decide the petitioner's representation at the earliest.

The prayer is innocuous. Accordingly, District Education Officer, Tehri Garhwal, is directed to decide the petitioner's representation within a period of three weeks from the date of production of certified copy of this order with speaking order specially on the point that when the petitioner was transferred on the ground of surplus teacher how another person was appointed in place of the petitioner.

With this direction the writ petition is disposed of accordingly. No order as to costs.

(M.M Ghildiyal, J.)

October 18, 2005

SKSharma